

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,)	Court of Appeals
)	Docket Number <u>07-10547</u>
Plaintiff-Appellant,)	
)	
vs.)	District Court
)	Docket Number <u>CR-07-00043</u>
)	
XIAN LONG YAO,)	
)	
Defendant-Appellee.)	
_____)	

CERTIFICATE OF RECORD

This Certificate is submitted in conformance with the U.S. Court of Appeals for the Ninth Circuit Rule 11-2. The record on appeal, consisting of reporter(s) transcripts (if any) and the U.S. District Court clerk's record is ready for the purpose of the appeal. This record is available for use by the parties in the office of the District Court Clerk.

The documents comprising the District Court clerk's record have been numbered in conformance with Rule 11(b) of the Federal Rules of Appellate Procedures. These documents numbers are reflected on the District Court docket sheet and should be used for reference purposes in the briefs.

Appeals in Habeas Corpus and 28 U.S.C. §2255 Motion to Vacate Sentence cases are treated as civil appeals in the Court of Appeals. Criminal appeal briefing schedules have been set by Time Schedule Order and no new schedule will be issued upon the filing of this document.

JEANNE G. QUINATA, Clerk of Court
DISTRICT COURT OF GUAM

By: *Manly J. Alcon*
Deputy Clerk

Dated: January 28, 2008

UNITED STATES DISTRICT COURT
UNITED STATES DISTRICT OF PANDORMAX, GUAM

Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. 07-10547 U.S. District Court Case No. CR-07-00043-FMT

Short Case Title United States v. Yao

Date Notice of Appeal Filed by Clerk of District Court November 9, 2007

SECTION A - To be completed by party ordering transcript

HEARING DATE	COURT REPORTER	PROCEEDINGS (strike portion not desired)
June 25, 2007	Wanda Miles	Voir Dire
June 26, 2007	Wanda Miles	Opening Statements
June 27, 2007	Wanda Miles	Settlement Instructions
June 28, 2007	Wanda Miles	Closing Arguments
October 30, 2007	Wanda Miles	Jury Instructions
		Pre-Trial Proceedings
		Other (please specify)

* please prepare voir dire, jury instructions and opening and closing arguments.

(attach additional page for designations, if necessary)

- () I do not intend to designate any portion of the transcript and will notify all counsel of this intention.
- () As retained counsel (or litigant proceeding in pro per), I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.
- ☒ As appointed counsel, I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered December 27, 2007

Type or Print Name Richard D. Rome

Signature of Attorney/Pro Per Litigant [Signature] Phone Number 818/994-8761

Address: 7100 Hayvenhurst Avenue, Penthouse C, Van Nuys, CA 91406-3804

This form is divided into five parts. It should be used to comply with the Federal Rules of Appellate Procedure and the Local Rules of the U.S. Court of Appeals for the Ninth Circuit regarding the designation and ordering of court reporters' transcripts.

Please note the specific instructions below. If there are further questions, contact the Clerk's Office, U.S. Court of Appeals for the Ninth Circuit at (415) 556-9800.

SPECIFIC INSTRUCTIONS FOR ATTORNEYS/PRO PER LITIGANTS

- (1) Pick up form from District Court Clerk's Office when filing the notice of appeal.
- (2) Complete Section A, place additional designations on blank paper, if needed.
- (3) Send Copy 1 to District Court.
- (4) Send Copy 4 to opposing counsel. Make additional photocopies, if necessary.
- (5) Send Copies 2 and 3 to court reporter. Contact court reporter to make further arrangements for payment.
- (6) Continue to monitor progress of transcript preparation.